

STATE OF WISCONSIN

# Senate Journal

## Seventy-Seventh Session

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THURSDAY, March 18, 1965.

9:00 o'clock A.M.

The senate met.

The president in the chair.

Prayer was offered by the Reverend Joseph Washington.

The roll was called and the following senators answered to their names:

Senators Benson, Bice, Busby, Carr, Christopherson, Dempsey, Dorman, Draheim, Hansen, Hollander, Kendzior-ski, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Lourigan, McParland, Meunier, Panzer, Rasmusen, Risser, Roseleip, Schreiber, Schuele, Smith, Sussman, Thompson, Warren and Zaborski—32.

Absent with leave—Senator Miller—1.

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### INTRODUCTION OF AMENDMENTS

Amendment No. 1, S. to Assembly Joint Resolution 6 was offered by Senator Lorge.

Amendment No. 1, S. to Senate Bill 12 was offered by Senator Dempsey.

Amendment No. 1, S. to Senate Bill 64 was offered by Senator Lorge.

Amendment No. 1, S. to substitute amendment No. 1, S. to Senate Bill 75, was offered by Senator Leonard.

## **JOURNAL OF THE SENATE [March 18, 1965]**

**Amendment No. 1, S. to Senate Bill 152** was offered by Senator Lorge.

**Substitute amendment No. 1, S. to Senate Bill 205** was offered by Senator Hollander.

**Substitute amendment No. 1, S. to Senate Bill 268**, was offered by Senator Leonard.

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### **PETITIONS AND COMMUNICATIONS**

#### **Senate Petition 4**

A petition by residents of the 25th District urgently requesting help in removing the law that bans the sale of colored oleomargarine in Wisconsin.

By Senator Christopherson.

To committee on Agriculture.

#### **Senate Petition 5**

A petition in the form of a Resolution by the Common Council of the City of Sheboygan in opposition to Assembly Bill 362, which provides for the election of the Mayor and Aldermen of the City of Milwaukee on a Partisan basis.

By Senator Keppler.

To committee on Governmental and Veterans' Affairs.

#### **Senate Petition 6**

A petition of Philip Hein, Jr. and 39 other Wisconsin dairy farmers opposing repeal of s. 97.39 (3) of the statutes, which would permit the manufacture and sale of colored oleomargarine in Wisconsin.

By Senator Smith.

To committee on Agriculture.

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Upon motion of Senator Roseleip, with unanimous consent, the senate was returned to the 5th order of business.

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### **BILLS INTRODUCED**

#### **Senate Bill 301**

Relating to a truth in education act and providing penalties.

By Senator Roseleip.

## **JOURNAL OF THE SENATE. [March 18, 1965]**

**Read first time.**

**To committee on Education.**

### **Senate Bill 302**

**Relating to certain operating costs of the department of taxation that are to be charged back to counties.**

**By Senator Lorge.**

**Read first time.**

**To committee on Labor, Taxation, Insurance and Banking.**

### **Senate Bill 303**

**An act instructing the conservation commission to abandon the east leg of the Indian Mound campsite on the north shore of Lake Tomahawk.**

**By Senator Krueger, by request of Earl Kennedy, Rhinelander.**

**Read first time.**

**To committee on Conservation.**

### **Senate Bill 304**

**Relating to time for adjustment of apportionment of income taxes to municipalities and counties.**

**By Senators Leonard and Thompson; co-sponsored by Assemblymen Molinaro and Soik, by request of the League of Wisconsin Municipalities.**

**Read first time.**

**To committee on Labor, Taxation, Insurance and Banking.**

### **Senate Bill 305**

**Relating to Milwaukee teachers retirement benefits.**

**By Senator Busby, by request of Milwaukee Public Teachers Annuity and Retirement Association.**

**Read first time.**

**To joint Survey committee on Retirement Systems.**

### **Senate Bill 306**

**Relating to the reimbursement of taxation districts for taxes on property acquired by the highway commission and making an appropriation.**

**By Senators Bice and Leverich; Co-sponsored by Assemblymen Nuttelman and Radcliffe.**

**To committee on Highways.**

## JOURNAL OF THE SENATE [March 18, 1965]

### Senate Bill 307

Relating to cancellation or nonrenewal of automobile liability insurance.

By Senators Lourigan, Hansen, Dorman, Schuele, Christopherson and Risser.

Read first time.

To committee on Labor, Taxation, Insurance and Banking.

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### EXECUTIVE COMMUNICATIONS

The State of Wisconsin  
Executive Office  
Madison 53702

Mr. Jerome Meyer  
Acting Chief Clerk, Senate  
State Capitol  
Madison, Wisconsin

Dear Mr. Meyer:

I hereby request permission to address a joint session of the Legislature in the Assembly Chambers at 11:00 A.M. on Wednesday, March 24.

Respectfully,

WARREN P. KNOWLES,  
Governor.

March 17, 1965.

Upon motion of Senator Knowles, with unanimous consent, the chief clerk was directed to notify the Governor that his request was granted.

Upon motion of Senator Leonard, with unanimous consent, the president appointed Senators Knowles and Zaboriski as senate members to wait upon the Governor.

To the Honorable, the Senate:

The following bills, originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State.

## JOURNAL OF THE SENATE [March 18, 1965]

Senate Bill	Chapter No.	Date Approved
2 -----	2 -----	March 17, 1965
3 -----	3 -----	March 17, 1965
39 -----	4 -----	March 17, 1965

Respectfully submitted,

WARREN P. KNOWLES,  
Governor.

March 17, 1965.

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### MESSAGE FROM THE ASSEMBLY

By James P. Buckley, chief clerk thereof.

Mr. President:

I am directed to inform you that the assembly has adopted and asks concurrence in

Assembly Joint Resolution 16,

Assembly Joint Resolution 45 and

Passed and asks concurrence in

Assembly Bill 190,

Assembly Bill 252,

Assembly Bill 340, and has

Concurred in

Senate Joint Resolution 35,

The senate action, upon motion of Assemblyman Nikolay, pursuant to Joint Rule 26, directing the Legislative Reference Bureau to prepare a suitable joint certificate of Commendation to the Cumberland High School Basketball Team and Mr. Elmer Beran their coach on the occasion of their winning the Sectional Basketball Tournament at Spooner, Wisconsin and qualifying for the participation in the state tournament to be held in Madison, Wisconsin this weekend.

The senate action, upon motion of Assemblyman Nikolay, pursuant to Joint Rule 26, directing the Legislative Reference Bureau to prepare a suitable joint certificate of Commendation to Christine Beatty, a junior at Wausau Senior High School on the occasion of her selection as a state winner of an oratorical contest sponsored by the Department of the American Legion, and her coach, Mr. Irvin C. Marquardt.

# **JOURNAL OF THE SENATE [March 18, 1965]**

## **ASSEMBLY MESSAGE CONSIDERED**

**Read first time and referred:**

**Assembly Joint Resolution 16**

To committee on Governmental and Veterans' Affairs.

**Assembly Joint Resolution 45**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 190**

To committee on Governmental and Veterans' Affairs.

**Assembly Bill 252**

To committee on Education.

**Assembly Bill 340**

To committee on Judiciary

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## **MOTIONS**

**Senate Bill 216**

Was recalled from the committee on Public Welfare and referred to joint Survey committee on Tax Exemptions upon motion of Senator Dempsey.

Upon motion of Senator Leverich, and in accordance with Joint Rule 26, the senate directed the Legislative Reference Bureau to prepare a suitable joint certificate of Commendation to the Eau Claire Memorial High School basketball squad and their coach Harry Gibbs on winning the sectional basketball tournament at La Crosse, Wisconsin and qualifying for participation in the state tournament at Madison, Wisconsin.

The senate's action was ordered immediately messaged to the assembly with request for assembly's concurrence therein.

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## **CALENDAR OF THURSDAY, MARCH 11th SECOND READING AND AMENDMENT OF SENATE BILLS AND RESOLUTIONS**

**Senate Bill 7**

Relating to excess premiums on fire insurance policies.  
Was read a second time.

## JOURNAL OF THE SENATE [March 18, 1965]

Substitute amendment No. 1, S. was adopted.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 7

Was read a third time and passed.

### Senate Bill 13

Relating to payment of judgments against court-appointed counsel for indigent defendants by the state or political subdivisions.

Was read a second time.

Amendment No. 1, S. was adopted.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 13

Was read a third time and passed.

### Senate Bill 19

Relating to staff services for the lieutenant governor.

Was read a second time.

The bill was placed on the calendar of Tuesday, March 23, upon motion of Senator Hollander, with unanimous consent.

### Senate Bill 105

An act to repeal 270.69 and 271.04 (3); and to amend 270.76, 271.21 and 299.01 (4) (a) of the statutes, relating to abolishing the rendering of judgment without action on a bond or promissory note.

Was read a second time.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Smith and Warren—19.

Noes—Senators Benson, Christopherson, Dorman, Hansen, Kendziorski, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—13.

Absent or not voting—Senator Miller—1.

So the bill was indefinitely postponed.

## JOURNAL OF THE SENATE [March 18, 1965]

### Senate Bill 164

An act to repeal 108.02 (19), 108.04 (3) and 108.061 (6); and to amend 108.04 (13) (b) of the statutes, relating to the waiting period in unemployment compensation.

Was read a second time.

The question was: Shall the bill be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Dempsey, Draheim, Hollander, Keppler, Knowles, Krueger, LaFave, Leonard, Leverich, Lorge, Meunier, Panzer, Rasmusen, Roseleip, Schuele, Smith and Warren—21.

Noes—Senators Christopherson, Dorman, Hansen, Kendzierski, Lourigan, McParland, Risser, Schreiber, Sussman, Thompson, and Zaborski—11.

Absent or not voting—Senator Miller—1.

So the bill was indefinitely postponed.

### Senate Bill 167

Relating to an automation advisory committee appointed by the industrial commission.

Was read a second time.

The bill was referred to joint committee on Finance upon motion of Senator Lorge, with unanimous consent.

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## CALENDAR OF THURSDAY, MARCH 11th SECOND READING AND AMENDMENT OF ASSEMBLY BILLS AND RESOLUTIONS

### Assembly Bill 62

Was read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Assembly Bill 62

An act to amend 136.04 (4) of the statutes, relating to the bond required by officers of the real estate brokers board.

Was read a third time and concurred in.



## **JOURNAL OF THE SENATE [March 18, 1965]**

### **Assembly Bill 104**

Was read a second time.

The bill was ordered to a third reading.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### **Assembly Bill 104**

An act to amend 128.21 (1) of the statutes, relating to amortization of debts by wage-earners.

Was read a third time and concurred in.

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## **CALENDAR OF FRIDAY, MARCH 12**

### **EXECUTIVE COMMUNICATIONS**

The question was: Shall the appointment by the Governor of Stanley E. Gilbertson, of Madison, a member of the Public Service Commission, to succeed Leonard Bessman, for the term ending the first Monday in March, 1971 be confirmed?

The appointment was laid over until Thursday, March 25.

The question was: Shall the appointment by the Governor of Gene A. Rowland, of Wisconsin Rapids, a member of the Industrial Commission of Wisconsin, to succeed Reuben Knutson, for the term ending June 1, 1969, be confirmed?

The ayes and noes were required and the vote was: ayes, 21; noes, 11; absent or not voting, 1; as follows:

Ayes—Senators Bice, Busby, Carr, Dempsey, Draheim, Hansen, Hollander, Keppler, Knowles, Kreuger, LaFave, Leonard, Leverich, Lorge, Lourigan, Meunier, Panzer, Rasmussen, Roseleip, Smith and Warren—21.

Noes—Senators Benson, Christopherson, Dorman, Kendzierski, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—11.

Absent or not voting—Senator Miller—1.

So the appointment by the Governor was confirmed.

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## **SECOND READING AND AMENDMENT OF SENATE BILLS**

### **Senate Bill 125**

Read a second time.

Substitute amendment No. 1, S. was adopted.

Was ordered engrossed and read a third time.

## JOURNAL OF THE SENATE [March 18, 1965]

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 125

Relating to the board of nursing.

Was read a third time and passed.

### Senate Bill 186

Read a second time.

The bill was referred to the joint committee on Finance, upon motion of Senator Dempsey, with unanimous consent.

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## CALENDAR OF TUESDAY, MARCH 16th SECOND READING AND AMENDMENT OF SENATE BILLS

### Senate Bill 6

Read a second time.

The bill was referred to joint committee on Finance, upon motion of Senator Krueger, with unanimous consent

### Senate Bill 9

Read a second time.

The bill was referred to the joint committee on Finance, upon motion of Senator Hollander, with unanimous consent.

### Senate Bill 129

Was read a second time.

The bill was placed on the calendar of Wednesday, March 24, upon motion of Senator LaFave, with unanimous consent.

### Senate Bill 131

Read a second time.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 131

Relating to uniform navigational aids.

Was read a third time and passed.

## JOURNAL OF THE SENATE [March 18, 1965]

### Senate Bill 132

Read a second time.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 132

Relating to the penalty applicable for failure to properly registered deer, bear, geese, sturgeon and other wild animals when required by regulation.

Was read a third time and passed.

### Senate Bill 133

Was read a second time.

The bill was placed on the calendar of Wednesday, March 24, upon motion of Senator Krueger, with unanimous consent.

### Senate Bill 187

Was read a second time.

The bill was laid over until Wednesday March 24, upon motion of Senator Krueger, with unanimous consent.

### Senate Bill 200

Was read a second time.

The bill was referred to the joint committee on Finance upon motion of Senator Hollander.

### Senate Bill 201

Was read a second time.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 201

Relating to schools for nursing.

Was read a third time and passed.

### Senate Bill 204

Was read a second time.

The bill was laid over until Thursday, March 25, upon motion of Senator LaFave with unanimous consent.

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Upon motion of Senator Knowles, with unanimous consent, the senate recessed until 10:45 o'clock this morning.

RECESS

10:45 o'clock A.M.

The senate was called to order by the president.

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CALENDAR OF WEDNESDAY, MARCH 17  
CONSIDERATION OF RESOLUTIONS

**Senate Resolution 17**

A resolution to amend Senate Rule 46 (3), relating to form of amendments.

Was read.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes—Senators Benson, Bice, Busby, Carr, Christopher-son, Dorman, Dempsey, Draheim, Hansen, Hollander, Kendzierski, Keppler, Knowles, Krueger, LaFave, Leonard, Lev-erich, Lorge, Lourigan, McParland, Meunier, Panzer, Ras-musen, Risser, Roseleip, Schreiber, Schuele, Smith, Suss-man, Thompson, Warren and Zaborski—32.

Noes—None.

Absent or not voting—Senator Miller—1.

So the resolution was adopted.

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SECOND READING AND AMENDMENT OF  
SENATE BILLS

**Senate Bill 11**

Was read a second time.

Amendment No. 1, S. to substitute amendment No. 1, S. was adopted.

Substitute amendment No. 1, S. was adopted.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous con-sent, the bill was considered for final action at this time.

**Senate Bill 11**

Relating to garnishment actions.

Was read a third time and passed.

## JOURNAL OF THE SENATE [March 18, 1965]

### Senate Bill 31

Was read a second time.

Amendment No. 1, S. to substitute amendment No. 1, S. was adopted.

Amendment No. 2, S. to substitute amendment No. 1, S. was offered by Senator Zaborski.

Amendment No. 2, S. to substitute amendment No. 1, S. was rejected.

Substitute amendment No. 1, S. was adopted.

Senator Kendziorski moved that the vote by which amendment No. 1, S. to substitute amendment No. 1, S. was adopted be reconsidered.

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes—Senators Benson, Busby, Christopherson, Dempsey, Dorman, Hansen, Kendziorski, Knowles, Leverich, Lourigan, McParland, Risser, Schreiber, Schuele, Sussman, Thompson and Zaborski—17.

Noes—Senators Bice, Carr, Draheim, Hollander, Keppler, Krueger, LaFave, Leonard, Lorge, Meunier, Panzer, Rasmussen, Roseleip, Smith and Warren—15.

Absent or not voting—Senator Miller—1.

So the vote was reconsidered.

### Senate Bill 31

Was made a Special Order at 10:00 A.M. on March 31, upon motion of Senator Lorge.

### Senate Bill 54

Was read a second time.

Substitute amendment No. 1, S. was adopted.

The bill was laid over until Wednesday, March 31, upon motion of Senator Leonard, with unanimous consent.

### Senate Bill 66

Was read a second time.

Amendment No. 1, S. was adopted.

Was ordered engrossed and read a third time.

Upon motion of Senator Knowles, with unanimous consent, the bill was considered for final action at this time.

## JOURNAL OF THE SENATE [March 18, 1965]

### Senate Bill 66

Relating to transmitting notice of entry of cognovit judgment and a copy of the supporting proof of the judgment debtor.

Was read a third time and passed.

### Senate Bill 70

Was read a second time.

The bill was made a Special Order at 10:00 A.M. on Tuesday, March 23.

Upon motion of Senator Smith, with unanimous consent, the senate returned to the 4th order of business.

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## RESOLUTIONS INTRODUCED

### Senate Resolution 18

Relating to the vacancy in the federal judgeship for the Western district of Wisconsin.

WHEREAS, except for a brief interim appointment, the federal court for the Western District of Wisconsin has been without a judge since January 13, 1963; and

WHEREAS, this unreasonable delay deprives the citizens of the Western District of Wisconsin of due process of law in the federal courts; and

WHEREAS, there are any number of qualified candidates for the position; now, therefore, be it

*Resolved by the senate*, That President Lyndon B. Johnson is hereby advised of the concern of the citizens of Wisconsin over the vacancy in the Western District of Wisconsin; and, be it further

*Resolved*, That the citizens of Wisconsin speaking through their elected representatives, the Wisconsin State Senate, urge President Johnson to fill the vacancy without further delay.

By Senators Smith, Keppler, Meunier, Warren, Panzer, Hollander, Roseleip, Draheim, Krueger, Leverich, Busby, Dempsey, Knowles, Leonard, Rasmusen, Carr, Bice, Lorge and LaFave.

To committee on Judiciary.

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Upon motion of Senator Schreiber, with unanimous consent the senate returned to the 3rd order of business.

# **JOURNAL OF THE SENATE [March 18, 1965]**

## **INTRODUCTION OF AMENDMENTS**

Substitute amendment No. 2, S. to **Senate Bill 217** was offered by Senator Schreiber.

### **Senate Bill 217**

Was restored to calendar of Wednesday, March 17, upon motion of Senator Schreiber with unanimous consent.

Amendment No. 1, S. to **Senate Bill 216** was offered by Senator Sussman.

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Upon motion of Senator Draheim with unanimous consent the senate returned to the 7th order of business.

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## **REPORTS OF STANDING COMMITTEES**

The committee on Governmental and Veterans' Affairs reports and recommends:

### **Senate Bill 10**

Passage; Ayes, 4; Noes, 1.

### **Senate Bill 88**

Passage; Ayes, 5; Noes, 0.

### **Senate Bill 106**

Adoption of amendment 1, S.; Ayes, 5; Noes, 0 and passage as amended; Ayes, 5; Noes, 0.

### **Senate Bill 221**

Indefinite postponement; Ayes, 4; Noes, 0.

### **Assembly Bill 23**

Concurrence; Ayes, 5; Noes, 0.

**WILLIAM A. DRAHEIM,**  
Chairman.

The joint committee on Revisions, Repeals and Uniform Laws reports and recommends:

### **Assembly Bill 41**

Concurrence; Ayes, 3; Noes, 0.

**ERNEST C. KEPPLER,**  
Senate Chairman.

## JOURNAL OF THE SENATE [March 18, 1965]

Upon motion of Senator Knowles, with unanimous consent all measures on which final action had been taken at today's session and not individually messaged were ordered immediately messaged to the assembly.

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### GUESTS INTRODUCED

A group of students including Duane Dahlberg, Ronnie Hokanson, Jerry Nichols, Lonny Swedberg, David O'Brian, Rickey Kringle and Argene Johnson all from Webster, Wisconsin were introduced to the senate by Senator Knowles.

The following members of the Washburn High School Basketball Team; Dan Kainu, Gene Taylor, Mike Frechette, Rick Lattimer, John Branzell, Greg Peterson and Rick Benedict all from Washburn, Wisconsin were introduced to the senate by Senator Christopherson.

David Pocernich, Roger Skrypczak, David Torkko and Jeffry Johnson all from Bayfield, Wisconsin and Ondassagon High School students were introduced to the senate by Senator Christopherson.

Senator Warren announced to the senate that it is honored by the presence of Honorable William Grass, Mayor of the City of De Pere, Wisconsin and Mr. Kelly Danen a Councilman also from De Pere, Wisconsin.

A group of Union High School students from the Eleva and Strum, Wisconsin area were welcomed to the senate by the president.

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Upon motion of Senator Knowles, the senate adjourned until 9:00 o'clock Friday morning, March 19, 1965.